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SUMMARY RECORD OF THE 379th MEETING

Held at Headquarters, New York,
on Tuesday, 3 February 1998 at 10.15 a.m.

Chairperson: Ms. ABAKA (Vice-Chairperson)

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In the absence of Ms. Khan, Ms. Abaka, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.35 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Combined second and third and fourth periodic reports of the Dominican Republic (CEDAW/C/DOM/2-3 AND 4; CEDAW/C/1998/I/CRP.1/Add.2)

1. At the invitation of the Chairperson, Ms. Gutiérrez, Ms. Muñoz and Ms. Solano (Dominican Republic) took places at the Committee table.

2. Ms. GUTIÉRREZ (Dominican Republic) said that the Convention, which the Dominican Republic had ratified in 1982, was an important instrument in the struggle of Dominican women to change the patriarchal system. Recent years had seen major legislative changes on behalf of women, including the adoption of Act No. 24-97 amending the Penal Code and the Code of Criminal Procedure in the areas of violence and discrimination against women, adoption of the General Education Act, and amendment of the Elections Act and the Agrarian Reform Act. The women's movement was also advocating amendment of the Civil Code and incorporation of the principle of gender equality into the Constitution.

3. Measures to guarantee the human rights of women included the allocation of greater financial and human resources to the Department for the Advancement of Women (DGPM), establishment of a National Committee for Monitoring the National Plan of Action of the Fourth World Conference on Women and a draft bill to elevate DGPM to a ministry for women.

4. With regard to political affairs, 31 per cent of the Supreme Court justices were women and the number of women in the Foreign Service had increased. Despite progress in equalizing the numbers of male and female students in higher education, much remained to be done with regard to gender dominance in career choice.

5. The Government was meeting the challenge of poverty which limited women's role in the economy and access to basic services, by implementing specific programmes on their behalf.

6. Turning to the report of the pre-session working group (CEDAW/C/1998/I/CRP.1/Add.2) and, in particular, to question 4, she said that Dominican society was made up of descendants of the original Spanish colonists and their African slaves; the indigenous inhabitants of the island had virtually disappeared. The blending of those two cultures, together with the arrival of freed American slaves in the nineteenth century and Haitian workers in the twentieth, had resulted in an ethnically mixed and culturally syncretistic society. In recent years, there had been a massive emigration to the United States and Europe.

7. The urban class system could be broken down into a small elite (5 per cent); an upper class (15 per cent) made up of businessmen and high-level

government officials; a middle class (20 per cent) made up of small- and medium-sized business owners, professionals, mid-level government officials and skilled technicians; a lower class (40 per cent) made up of shopkeepers, employees and unskilled workers; and, as a subset of the lower class, street vendors and domestic workers (20 per cent), most of them from the rural parts of the country.

8. The rural class system could be broken down into wealthy landowners (15 per cent), medium- and small-scale producers (40 per cent), intermediaries involved in marketing (5 per cent), agricultural workers employed in the country's few agroindustries (20 per cent) and landless peasants (20 per cent), many of whom had migrated to urban areas, export-processing zones and tourist centres.

9. The Dominican Republic was a democracy with a President and Vice-President, elected for four-year terms, a Cabinet of Ministers, a Senate and Chamber of Deputies, and a judicial system made up of a Supreme Court, appeal courts and town mayors.

10. Gross domestic product (GDP) had grown at a rate of 6.9 per cent over the period to June 1997; growth industries included communications, construction, water and electricity, hotels and restaurants, transport, trade and manufacturing. The inflation rate was 9 per cent and the unemployment rate 15 per cent (9.5 per cent for men and 28.7 per cent for women). There had been significant economic growth and a corresponding drop in the unemployment rate during the first half of 1997 as a result of improved tax collection and reduced social spending. However, there had been no improvement in the unequal distribution of income, which could only be corrected by government programmes to improve the quality of life of its citizens.

11. With respect to question 5, 1990-1998 had been a period of macroeconomic stabilization, controlled inflation, reduction of the fiscal deficit and growth in GDP.

12. With regard to question 6, government action to combat poverty included programmes for job creation and food production and increased lending by the Agricultural Bank. The Government's poverty reduction plan focused on the poorest sectors of the country, with a particular emphasis on women heads of household. Programmes specifically directed towards women included the allocation of RD$ 60 million to DGPM activities, including implementation of a recent programme on women's production cooperatives and micro-enterprises aimed at developing alternative sources of income for women heads of households and improving standards of living. The Government had also allocated RD$ 300 million to a programme for both men and women to promote micro-, small and medium enterprises, with the channelling of loans to women's micro-enterprises through a women's NGO.

13. In addition, RD$ 28 million had been allocated to a programme for pregnant women and RD$ 56 million to a day-care programme for children of working women. The Government had provided over 7,000 rural women with tracts of land, and DGPM was working to give such women equal access to means of production and new technology.

14. In reply to question 7, she said that the national reform programmes described in paragraphs 75-112 of the fourth periodic report were too recent for their results to be evaluated but that representatives of DGPM and the women's movement had worked to ensure that a gender perspective was incorporated in all aspects of the reform process.

15. In relation to question 8, the National Statistical Office was expanding the range of data which it compiled and was placing special emphasis on social, demographic and economic variables relating to women. The Office would also become part of the information network on violence against women that was due to be created within the Department for the Advancement of Women (DGPM). For its part, DGPM was looking into the possibility of disaggregating by sex the data obtained from national population and housing surveys. A working relationship existed between DGPM and the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), which had provided various forms of assistance to the Department, including collaboration in a project to quantify the value of unpaid labour with a view to its incorporation in the national accounts and assistance in reporting to the Committee by the State party.

16. Responding to question 9, she said that the Government had established a broad-based National Committee for Monitoring of the National Plan of Action of the Fourth World Conference on Women and, through DGPM, was currently implementing a UNDP-assisted project aimed at strengthening the national capacity to implement the Beijing Platform for Action by, inter alia, promoting greater participation by women in national decision-making.

17. In relation to question 10, DGPM funding for 1998 would amount to 0.10 per cent of the national budget, an increase of 0.08 per cent over the previous two years. The Government also funded, through various ministries and private institutions, projects that were of benefit to women. Funding for private institutions in 1998 represented an increase of 217 per cent over 1997.

18. With reference to question 11, the Government was reviewing the Civil, Penal and Labour Codes in order to identify and amend those provisions that discriminated against women. The resulting amendments were being widely disseminated. Lobbying efforts continued in the Congress for the ratification of international agreements on women's rights, such as the Convention of Belém do Pará.

19. With regard to question 12, at the time the Constitution was drafted, men and women had not been considered equals and citizenship had been contingent upon whether a person had attained the age of majority and whether he or she was competent to elect or be elected.

20. In relation to question 13, men and women had to fulfil the same requirements for obtaining an identification card.

21. The legislative changes referred to in question 14 were relatively recent and were currently being disseminated. The authorities responsible for their implementation were being trained, women were being taught how to avail

themselves of the new provisions and the necessary mechanisms were being established to guarantee their application.

22. On the subject of agrarian reform raised in question 15, while it was too early to tell how women had benefited from the reform, an initial batch of 1,280 women had received plots. Also, when a man died, his wife inherited the land.

23. In relation to question 16, the Ministry of Agriculture, the Agrarian Institute and the Department for the Advancement of Women had concluded an agreement to accelerate agrarian settlements for women by providing technical assistance and loans, especially in the south-eastern region of the country, where poverty among rural women was particularly acute.

24. Replying to question 17, she said that no restrictions were placed on access by women to government housing programmes.

25. Ms. SOLANO (Dominican Republic) explained, with reference to question 18, that the human rights of women who were victims of abuses by police, military or government officials were protected by Act No. 24-97 against domestic violence. While the Act provided for punishment for such abuses, it was necessary to increase the public's awareness and acceptance of the new provisions. The Department for the Advancement of Women, concerned non-governmental and community-based organizations and the national police had therefore taken a number of measures to guarantee its full implementation, including dissemination of the text of the Act, the organization of training workshops and the establishment of a special department to provide protection and advisory services to victims of domestic violence.

26. In relation to question 19, DGPM was the agency responsible for shaping the national gender policy. It was currently executing a national plan of action aimed at developing the institutional capacity to implement the Beijing Platform for Action and at coordinating programmes designed to reduce inequality. More immediately, it continued to work on the amendment of discriminatory laws and to develop programmes aimed at the empowerment of women, poverty reduction and the prevention and punishment of domestic violence.

27. In relation to question 20, she explained that the Catholic and evangelical churches only were represented on the National Committee for Monitoring of the National Plan of Action of the Fourth World Conference on Women because they had the largest followings and greatest influence on the country's political, social and cultural life.

28. With reference to question 21, PROMIPYME (programme for the development of micro-, small and medium-sized enterprises) provided loans for women. DGPM operated a special programme that created jobs for women in textile cooperatives and the Metropolitan Transport Authority reserved certain jobs exclusively for female university students.

29. The special measures referred to in question 22 were scrupulously observed and employers guilty of violating them were punished. The Department of Labour and the provincial offices of the Ministry of Labour monitored the implementation of the measures.

30. In relation to question 23, the Government had elaborated a national social development plan and a plan of action for the reduction of poverty.

31. In response to question 24, she said that ratified international and regional conventions and treaties became part of national legislation after certain formalities had been completed. In the case of the Convention of Belém do Pará, however, resistance by the police and judicial authorities to the conceptual changes established by the new legislation constituted an obstacle to its implementation. With the assistance of various government agencies, including the national police, the Ministry of Public Health and the Department for the Advancement of Women, the administration was therefore developing mechanisms for the application of the legislation to prevent and punish violence against women.

32. Responding to question 25, she said that the Government was promoting greater public awareness of violence against women through educational campaigns in print, and on radio and television, and through the organization of training courses for police, health and legal personnel. A special unit for the protection of women had been created as a pilot project within the police department of a working class district of the capital. Several more units were expected to be established during 1998. In all of its efforts to prevent and punish violence against women, the Government sought to involve relevant non-governmental organizations and other sectors of civil society.

33. In reply to question 26, the measures envisaged included the revision of textbooks and curricula and the provision of gender training to teachers, the conclusion of agreements on the implementation of gender training programmes for all government departments and the incorporation of the gender perspective into State reform and modernization efforts. However, many women, including those in positions of leadership, were resistant to the idea that socially established behaviour patterns were an obstacle to their advancement. Accordingly, gender awareness was being raised through educational materials on women's contributions to society and the commemoration of special days for women.

34. In reply to question 27, many Dominican men felt that Act No. 24-97 was too drastic a response to conduct, such as physical and psychological abuse and sexual harassment, which they had traditionally viewed as natural; on the other hand, the Act had encouraged more women to report such behaviour. With respect to the authorities, new mechanisms to implement the Act were being put in place, such as the establishment of a corps of forensic psychologists, who would be called upon to certify the existence of an offence. Moreover, the police were being trained in the new functions established under the Act. Resistance to its implementation, on the part of police and public prosecutors as well as the population in general, could be overcome only through continued educational and awareness-raising initiatives. The women's movement participated actively in that process through training programmes, inter-agency coordination, interaction with various organizations of civil society, efforts to publicize the new Act and referral services.

35. With reference to question 28, the media, education, religion and custom tended to uphold traditional stereotypes of women. Advertising continued to portray women as sex objects and to reinforce the idea of male supremacy,

thereby fostering violence and abuse. The media ignored women's productive role and depicted passivity and submissiveness as features of the "ideal" woman. Traditional education also promoted such values, many of which were based on religious precepts that were deeply rooted in the customs of Dominican society. Efforts to improve women's status sometimes conflicted with those values.

36. Economic hardship had induced more women to enter the labour force. The capacity to contribute financially to their households had helped to boost women's self-esteem and to enhance their equality within the family, even though housework was still undervalued. Paid work had also enabled more women to emigrate and had increased the percentage of households headed by women to nearly 40 per cent.

37. With respect to question 29, advertising material which fostered gender discrimination and gender violence was prohibited under new regulations. As part of the publicity campaign on sexual harassment in the workplace and domestic violence, an illustrated version of Act No. 24-97 had been published. The Government was seriously concerned about the high incidence of sexual abuse of children, and had established a lead agency to ensure the implementation of the 1994 Code for the Protection of Children and Adolescents, which embodied the principles enshrined in the Convention on the Rights of the Child. Moreover, Act No. 24-97 contained provisions on child abuse and trafficking in children, and increased the penalties for sexual assault in cases where the victim was a minor. It also defined incest and attempted incest as criminal offences.

38. Activities to change stereotyped images of women, referred to in question 30, included research on women, as well as campaigns, forums and commemorative activities aimed at the general public. The use of non-sexist language was becoming more prevalent in intellectual and academic circles, as well as in government documents and laws. In addition, the subject of women was included in the national dialogue on the State's modernization and reform agenda, and non-governmental women's organizations participated in the national development debate. In the academic sphere, a master's degree programme in gender and development had been established. Political parties, women's business associations, trade unions, community and religious groups, grass-roots organizations and professional associations participated in such activities.

39. In reply to question 31, the link between the Church and the State had been consolidated by the concordat signed in 1954 between the Government and the Holy See. In effect, the concordat limited the implementation of measures to change social norms that hindered women's advancement. The current reform process involved the redefinition of the State's relationship with other sectors, including the Church. However, that would be a complex task, in view of the profoundly religious character of the Dominican people.

40. With reference to question 32, trafficking in women and girls was punishable by imprisonment under Act No. 24-97, and the use of girls or adolescents in pornography or their exploitation as prostitutes was punishable by fines. Workshops to train judges, prosecutors and police officers were being conducted to ensure that those provisions were enforced. Moreover, joint actions were being taken with the Migration Service, the Ministry of Tourism and

non-governmental organizations in parts of the country that attracted tourists, where cases of child prostitution and trafficking in women were most prevalent.

41. In reply to question 33, the number of women working in the sex industry in the Dominican Republic was estimated at 50,000. There were no socio-economic integration programmes for prostitutes, with the exception of a few isolated, small-scale initiatives taken by religious organizations. The United Women's Movement, which consisted of sex workers, had held a congress in 1995 and a national forum in 1997, and was working to promote training for such women and to prevent trafficking in female prostitutes. Although all forms of violence against women were punishable under Act No. 24-97, there were no specific labour regulations guaranteeing the punishment of prostitutes' clients. With respect to sexually transmitted diseases and acquired immunodeficiency syndrome (AIDS), epidemiological surveillance, education and information activities were being conducted for sex workers, inter alia by non-governmental organizations.

42. Statistics on cases of rape, referred to in question 34, had not yet been compiled. However, since the promulgation of Act No. 24-97, the authorities had begun to develop the tools needed to keep records of cases of violence.

43. With reference to question 35, the experience of women who reported cases of violence was usually very traumatic because the authorities acted on the sexist assumption that the victim had provoked the violence; most cases of violence, especially domestic violence, had not been defined as criminal offences; the victims' privacy was violated during questioning; and reports were processed by personnel, especially police officers, who had not been trained to handle such cases. However, in the short time since the promulgation of Act No. 24-97, efforts had been made to avoid such situations and to encourage victims to come forward.

44. With respect to question 36, the Government had published educational materials on the problems faced by Dominican women who emigrated to Europe. In addition, it had held meetings with migrant women residing in Switzerland and Spain in order to exchange information on their situation and learn about their needs. Efforts were being made to provide financial aid for the programmes of the Inter-institutional Committee for the Protection of Migrant Women.

45. In reply to question 37, Elections Act No. 2475-97 had been adopted in December 1997. It provided that not less than 25 per cent of the candidates nominated by political parties for congressional or municipal office should be women.

46. In reply to question 38, 54 per cent of the votes recorded in the last presidential election had been cast by women. Voters did not have to meet any property or literacy requirements.

47. The women's movement in the Dominican Republic, referred to in question 39, carried out a wide-ranging national campaign to promote women's political participation in elections. The actions taken included training programmes for women candidates and leaders of political parties, media campaigns and the elaboration of a national Women's Equal Opportunity Plan for submission to the various political parties. Currently, training programmes were being conducted

for female politicians and candidates for the May 1998 congressional elections. As a result of the national campaign, alliances had been forged among the women's movement, the Department for the Advancement of Women and women who had been elected to congressional or municipal office. Their joint efforts had resulted in legal reforms to benefit women, such as the reform of the Elections Act, and the establishment of the Honorary Committee of Women Advisers to the Senate.

48. In reply to question 40, women were a minority in the legislature because neither political parties nor the Elections Act provided for mechanisms or measures to regulate women's political participation, women were insufficiently aware of the importance of their participation in decision-making positions, the structure of political parties was anti-democratic and patriarchal, and sexism was deeply rooted in the country's socio-cultural patterns.

49. Regarding question 41 on the representation of women in the smaller political parties, gender-disaggregated data was not available. In terms of party leadership, however, the proportion of women in the smaller parties was less than 2 per cent compared with 35 per cent in the Dominican Revolutionary Party, 30 per cent in the Dominican Liberation Party, and 15 per cent in the Christian Social Reformist Party.

50. In relation to question 42, the Department for the Advancement of Women had become involved in the national dialogue aimed at integrating women into politics. Provincial branches had been established to develop local leadership among women. The Department was also collaborating with a number of ministries and public institutions on women's projects in health care, the arts and agriculture. A campaign was under way to teach illiterate rural women how to read and write. The Confederation of Rural Women was a women's lobbying group that brought together 250 women's associations. The Coordinator of Non-Governmental Organizations for Women's Issues acted as a focal point for 40 women's associations at the national level.

51. With regard to question 43, the rate of female participation in international organizations was 62 per cent. In embassies the rate was 49 per cent and in consulates it was 49.1 per cent.

52. With reference to question 44, the work of the Honorary Committee of Women Advisers to the Senate had resulted in the amendment of the legislation on family violence and education. The Honorary Committee was jointly organizing workshops and training events with the Department for the Advancement of Women. Under Electoral Act No. 275-97, at least 25 per cent of the candidates on each party's electoral list had to be women. In the judicial sphere, a woman had been appointed to the post of Commissioner for Judicial Reform and Modernization of Justice; 31 per cent of Supreme Court judges were women.

53. On question 45 dealing with nationality, in the Dominican Republic a person's nationality was determined by a combination of the place of birth and the nationality of the parents. There was, however, discrimination against the mother in the case of nationality obtained through naturalization. In such cases only sons acquired Dominican nationality where the father had disappeared or where the mother had custody of the children. In answer to question 46, no

changes had been made to the discriminatory nationality law because such a step would require a constitutional amendment. However, the Government did intend to make such an amendment, in which case it would be possible to eliminate the discriminatory provision.

54. Ms. MUÑOZ (Dominican Republic) said that, with regard to question 47, the Government had introduced a range of measures to address persistent sexist stereotyping in the education system through the special department 'Educ-Mujer' in the Ministry of Education and Culture. Although the measures included professional and technical training, such training was not specifically targeted at women. In answer to question 48, women's non-governmental organizations aimed to change traditional cultural patterns through gender-education, public debates, awareness-raising campaigns and dissemination of educational material. In reply to the request for statistics in question 49, the proportion of female teachers at the primary-school level was 74.7 per cent, compared with 48.6 per cent and 28.4 per cent at the secondary-school level and in higher education respectively. No statistics were available on fellowship programmes. Since September 1997, the public school curriculum had incorporated a sex-education element despite continuing resistance from the Catholic Church. Regarding question 50, there were currently no specific incentives offered by the Dominican Government to encourage girls to take up science subjects.

55. With reference to question 51, 'Educ-Mujer' was organizing non-discriminatory vocational training days. The sex-based requirements for enrolment in technical colleges had been abolished and all such establishments were now mixed.

56. By way of response to question 52, more and more women were enroling in higher education as a result of greater social awareness and labour market imperatives, but they continued to find it difficult to break into high-profile decision-making jobs despite the fact that they were often academically better than men. On question 53, the main reasons why Dominican children often failed to attend school were extreme poverty, lack of facilities, poor motivation on the part of the parents, and low teaching standards in the public school system. Measures such as provision of school meals had been used to encourage attendance, and teachers' salaries had been increased.

57. In answer to question 54, private universities were funded principally from tuition fees. Of the 1 million illiterate persons in the Dominican Republic, referred to in question 55, 49.4 per cent were women. The National Adult Education Authority had initiated a literacy day aimed specifically at that segment of the population.

58. Regarding question 56, the Labour Code applied to women working in the duty-free zones and covered all industrial health issues, although in practice there were shortcomings in the way it was applied. Sanctions for violations of the Labour Code varied according to the gravity of the offence. The bill on day-care facilities had still not been adopted. On question 57, various duty-free zones had taken individual initiatives such as establishing health clinics and child-care centres. The worst employment conditions existed in the textile industry.

59. With reference to question 58, there had indeed been court cases with regard to the protection of female workers. Firms found guilty of violations were required to pay employment benefits and compensation equivalent to the total wages owing to the worker. No affirmative action measures had been taken.

60. In response to question 59, the Dominican Republic had ratified 28 International Labour Organization conventions, including six of the seven most fundamental. The Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value was in the process of being ratified. A study had been carried out in 1997 in order to gain a better understanding of the equal pay issue. The Labour Code had established a 44-hour working week and there were also regulations governing the establishment of a minimum wage for each industrial sector.

61. With reference to question 60 on female participation in trade unions, women's issues rarely made their way on to union agendas because women rarely occupied decision-making posts. However, many unions had special women's sections. On question 61, the level of child care provided by employers was currently negligible. The two bills mentioned in question 62 relating to the conditions of female workers and the establishment of day-care facilities had not been adopted. The Honorary Committee of Women Advisers to the Senate and the Department for the Advancement of Women intended to resubmit the bills.

62. With regard to question 63, the Institute of Technical and Vocational Training intended to strengthen women's community organizations with a view to eliminating the sexism of certain "male-only" professions. Statistics showed that the number of women enroling in technical courses was on the rise.

63. On question 64, working conditions in the Dominican Republic had improved with the entry into force of the 1992 Labour Code, especially with regard to the treatment and working conditions of female workers. Female domestic workers were covered by a separate statute. Regarding question 65, women were entitled to flexible maternity leave of 12 weeks. Half of a woman's wages were paid by the employer and the rest by the State. It was also possible for female employees to take annual leave immediately after maternity leave, thereby extending the amount of time that a mother could spend with her baby. With reference to question 66, there was no institutional mechanism to regulate paid domestic work. It was the responsibility of the individual employer to ensure that the contract was honoured.

64. The practical effect of the 1992 Labour Code, referred to in question 67, had been to protect the rights of all workers and the equal rights of female workers in particular. The Dominican courts did have the authority to hand down sentences for violations of the Code. However, the provisions relating to breastfeeding breaks had been difficult to enforce; a campaign was currently under way to raise awareness of the issue among employers.

65. With regard to question 68, the Dominican Government had no knowledge of any women emigrating to Arab countries. However, the assistance of the International Organization for Migration had been sought to combat the trafficking of women to Europe. Regarding question 69, there were no special

measures in place to assist female Dominican migrants who left the country in search of work, although an initiative along those lines was being considered.

66. With reference to question 70, female workers in the duty-free zones were protected under the Labour Code. The main problems they faced were lack of facilities to take breastfeeding breaks, lack of day-care facilities, inadequate AIDS education, and denial of promotion on sexist grounds. Under new legislation, investors in duty-free zones could be foreign legal persons, foreign natural persons or Dominican natural persons resident abroad. At the present time, 65 per cent of the capital invested in the zones was domestic; the remainder was foreign.

The meeting rose at 1 p.m.